

REMARKS

In the Office Action, claims 1-3, 5-11, 13 and 18 were rejected, and claims 4, 12, 14-17 and 19 were indicated as allowable if rewritten in independent form to include the limitations of the base claim and any intervening claims. Applicants thank the Examiner for indicating the allowability of claims 4, 12, 14-17 and 19. By this Reply and Amendment, claim 4 has been placed into independent form, the language of claim 12 has been added to claim 11 from which it directly depends, and claim 15 has been placed into independent form. Accordingly, claims 4, 11 and 15 along with the claims which depend therefrom should be in condition for allowance.

By this Reply and Amendment, claims 4, 11 and 15 have been amended, claims 5-10 and 12 have been canceled without prejudice, and claims 1-4, 11 and 13-19 remain pending in the present application. All claim amendments are fully supported throughout the written description and figures of the specification.

Claims 4-19 were objected to based on certain informalities found in the language of claims 4, 5, 8, 9 and 11. The amendments to claims 4 and 11 set forth above are believed to overcome the Examiner's objection with respect to claims 4 and 11-19. Claims 5-10 have been canceled without prejudice, thereby rendering their objection moot. Accordingly, the objection to claims 4-19 is believed overcome.

Claims 1-3, 5-7, 10, 11, 13 and 18 were rejected under 35 USC 102(b) as anticipated by the Muller et al. reference, US Patent No.: 4,913,231. Although Applicants disagree with many aspects of this rejection, certain amendments have been made to the claims to clarify the language of the claims and to place the application into condition for allowance.

For example, independent claim 5 and its dependent claims 6-10 have been canceled without prejudice; independent claim 11 has been amended to incorporate the language of dependent claim 12, indicated as allowable; and claims 13-14 and 17-19 ultimately depend from independent claim 11. Accordingly, the rejection under 35 USC 102(b) is no longer applicable to claims 5-7, 10, 11, 13 and 18.

With respect to independent claim 1, and its dependent claims 2-3, Applicants respectfully submit the rejection should be withdrawn. The Muller et al. reference discloses a method and apparatus for treating subterranean wells. The apparatus comprises inflatable packers and a valve system that can be used to direct fluid for inflating/deflating the packers, circulating fluid to spot treatment, and injecting treatment fluid. According to the Summary of the Invention, sequencing of valves in the tool is controlled by selectively changing the pull or load on the tube at the surface. (See column 2, lines 9-14). For example, after the packers are properly inflated, "the load supported by the grippers 14 is reduced and the tool moves to a position illustrated in FIG. 11, in which the selector valve assembly moves downwardly relative to the tool body causing the follower projection 95 to move along the path 103 into the pocket 102, as illustrated in FIG. 11a." The reference further states that it is this movement of the selector valve which "isolates the inflate/deflate passage 156 so the packers 33 remain in their inflated condition and continue to isolate the zone of the well therebetween from the remaining zones of the well." (See column 13, lines 56-68). Accordingly, the changing of the selector valve assembly is accomplished by changing the load.

The actuation of the Muller et al. device and the teaching of the Muller et al. reference is in contrast to the language of the presently pending independent claim 1. For example, claim 1 recites "causing tubing pressure responsive positioning of said packer pressure control member for maintaining inflation of the spaced inflatable packer elements." As described in the preceding paragraph, the Muller et al. reference utilizes load changes and does not disclose or in any way suggest causing "tubing pressure responsive positioning" of the packer pressure control member to maintain inflation of the packer elements. Accordingly, the rejection of claims 1-3 over the Muller et al. reference should be withdrawn.

Claims 5, 8 and 9 were rejected under 35 USC 102(b) as anticipated by the Lynes reference, US Patent No.: 2,227,730. Although Applicants disagree with aspects of this rejection, the rejection has been rendered moot through cancellation of claims 5, 8 and 9 without prejudice.

In view of the foregoing remarks, all pending claims are believed patentable over the cited references. However, if the Examiner believes certain amendments are necessary to clarify the present claims or if the Examiner wishes to resolve other issues by way of a telephone conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,



Tim Curington
Reg. No. 45,944

Date: 12-9-05
Integrated Productivity & Conveyance
110 Schlumberger Drive, MD1
Sugar Land, Texas 77478
(281) 285-4524